

TCP/11/16(365)
Planning Application 14/00575/IPL – Erection of a dwellinghouse and garage (in principle), land 70 metres south west of West Wing, The Coach House, Kinloch

INDEX

- (a) Papers submitted by the Applicant (***Pages 51-64***)
- (b) Decision Notice (***Page 67-68***)
 - Report of Handling (***Pages 69-77***)
 - Reference Documents (***Pages 79-87***)
- (c) Representations (***Pages 89-100***)

TCP/11/16(365)

Planning Application 14/00575/IPL – Erection of a dwellinghouse and garage (in principle), land 70 metres south west of West Wing, The Coach House, Kinloch

**PAPERS SUBMITTED
BY THE
APPLICANT**



Pullar House 35 Kinnoull Street Perth PH1 5GD

Tel: 01738 475300

Fax: 01738 475310

Email: onlineapps@pkc.gov.uk

Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000122749-001

The online ref number is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the Planning Authority about this application.

Applicant or Agent Details

Are you an applicant, or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:

Arthur Stone Planning LLP

You must enter a Building Name or Number, or both:*

Ref. Number:

First Name: *

Alison

Last Name: *

Arthur

Telephone Number: *

07855538906

Extension Number:

Mobile Number:

Fax Number:

Email Address: *

info@arthurstoneplanning.co.uk

Building Name:

Friar Street

Building Number:

24

Address 1 (Street): *

24 Friar Street

Address 2:

Town/City: *

Perth

Country: *

UK

Postcode: *

PH2 0ED

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title: *	<input type="text" value="Mr"/>
Other Title:	<input type="text"/>
First Name: *	<input type="text" value="Graeme"/>
Last Name: *	<input type="text" value="Allen"/>
Company/Organisation:	<input type="text"/>
Telephone Number:	<input type="text"/>
Extension Number:	<input type="text"/>
Mobile Number:	<input type="text"/>
Fax Number:	<input type="text"/>
Email Address:	<input type="text"/>

You must enter a Building Name or Number, or both:*

Building Name:	<input type="text" value="Kinloch House Hotel"/>
Building Number:	<input type="text"/>
Address 1 (Street): *	<input type="text" value="Kinloch"/>
Address 2:	<input type="text"/>
Town/City: *	<input type="text" value="Blairgowrie"/>
Country: *	<input type="text" value="Scotland"/>
Postcode: *	<input type="text" value="PH10 6SG"/>

Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
---------------------	--------------------------------------------------------

Full postal address of the site (including postcode where available):

Address 1:	<input type="text" value="Land 70 Metres South West
Of West Wing The Coach
House"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text"/>	Town/City/Settlement:	<input type="text" value="Kinloch"/>
Address 3:	<input type="text"/>	Post Code:	<input type="text"/>
Address 4:	<input type="text"/>		

Please identify/describe the location of the site or sites.

Northing	<input type="text" value="745132"/>	Easting	<input type="text" value="313243"/>
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Description of the Proposal

Please provide a description of the proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *

(Max 500 characters)

14/00575/IPL - Erection of a dwellinghouse and garage (in principle)

Type of Application

What type of application did you submit to the planning authority? *

- ☐ Application for planning permission (including householder application but excluding application to work minerals).
- ☒ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time of expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please see accompanying statement

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? *

☐ Yes ☒ No

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Accompanying statement

Application Details

Please provide details of the application and decision.

What is the application reference number? *

15/00575/IPL

What date was the application submitted to the planning authority? *

28/03/14

What date was the decision issued by the planning authority? *

12/03/15

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☒ Yes ☐ No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

Checklist - Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare - Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Alison Arthur

Declaration Date: 09/06/2015

Submission Date: 09/06/2015



Local Review Body Statement

14/00575/IPL

On behalf of Mr Graeme Allen

Kinloch Hotel

Arthur Stone Planning
24 Friar Street
Perth. PH2 0ED

07972920357
07855538906

info@arthurstoneplanning.co.uk
www.arthurstoneplanning.co.uk

Introduction

The purpose of this statement is to provide a reasoned justification against the refusal of planning application 14/00575/IPL by Perth & Kinross Council for the erection of dwellinghouse at Kinloch House.

The application was refused for the following reason:

1. As the proposal is does not involve the renovations or replacement of a dwelling which is necessary for economic need, the proposal is contrary to the requirements of Policies RD3 and EP6 of the Local Development Plan 2014, both of which state that new housing will only be acceptable in the Lunan Valley Catchment Area if it relates to economic need or the conversions/replacement of existing buildings.

Given the narrow focus of the concerns raised by the proposal the report will discuss the following issues only:

- Background to Hotel
- Site Description
- Planning History
- Housing in the Countryside Policy
- Economic Argument



Background to Kinloch Hotel

The application site is owned by the applicant, Graeme Allan, who owns and runs the adjacent Kinloch Hotel. The Kinloch Hotel is a 5 star luxury authentic country house set within 25 acres of countryside, which has been owned by the Allen family for the past 12 years. The hotel is a significant contributor to the local tourist economy in Perthshire, attracting more than 4,500 guests per annum, which contributes significantly to spending in the local area. The Hotel is a luxury wedding venue and also hosts a variety of conferences and traditional country pursuits including fishing and shooting. The Hotel regularly organises shooting parties with its guests on local estates in Perthshire, totalling 20 days in 2014 and 25 days so far in 2015, at a cost of approximately £10,000 per day. The Hotel employs 6 full time live-in staff from the local area and spends approximately £237,000 on staff wages per annum.

The purpose of this planning application was to develop the site for resale in order to generate funds to sustain and expand the Hotel as a business. The economic crisis which developed in 2008 had a significant effect on the Tourism Industry in Scotland. In order to maintain Mr Allen's Hotel at its current high standard, to continue to attract visitors and consequently retain its core staff the Hotel requires further monetary investment.



Site Description

This proposal relates to an area of grassed paddock land located on an infill site located between the Kinloch House Hotel and a private dwellinghouse (Quarryhill). The site is approximately 55 metres by 40 metres in size and is enclosed by a mixture of hedgerows, mature trees and fencing. This site is in proximity to four listed buildings, namely the Coach House (Kinloch House Stables), Kinloch House, Kinloch House Walled Garden and Kinloch House Lodge.

Planning History

In 2013, the applicant submitted a planning application for a single house and detached garage on the above site under planning reference 13/01321/IPL. The application included notional plans of the plot illustrating a dwellinghouse and detached garage and accessing out onto the main A923 road.

Following detailed discussions with Perth and Kinross Council the application was withdrawn as a result of concerns raised in regard to road safety; visual amenity; the proposal's effect on the adjacent listed buildings; and, the current drainage arrangements.

More specifically, concerns were raised by the Planning Department that:

- vehicular visibility from the new access point to the west would be limited and would not meet the road standards required
- the proposed development may impact on the setting of the buildings
- the proposed new access road and junction with the public road, would involve substantial ground excavation resulting in an adverse visual impact on the setting of the listed buildings
- the current drainage system at Kinloch House was potentially a concern

The applicant was advised, however, that under the current Local Plan at that time (Eastern Area Local Plan 1998) there was scope for supporting development which would improve phosphorus discharges into the environmental sensitive Lochs.

Given the above the applicant on advice from the Planning Department chose to withdraw the application and revisit each of the concerns raised regarding the application.

Planning Application 14/00535/IPL

In 2014, the applicant submitted a new planning application under planning reference 14/00535/IPL, which sought to address the concerns previously raised by the Planning Department in regard to road safety, drainage and visual amenity.

The applicant went to considerable time and expense to revise the proposal in consultation with the Planning department as follows:

- The proposed road access was redesigned into the existing network to meet the Council's Road Safety standards, which met full agreement with the Perth and Kinross Transportation Officers
- The amended road design and reductions to the degree of excavations proposed also met with the Perth and Kinross Council's Conservation Officer's approval who raised no further objection
- The applicant ensured that the proposed scheme for a single dwellinghouse would significantly improve an existing drainage issue on the site that would consequently result in a significant improvement to the phosphorous loading into the adjacent Lochs
- The proposed new drainage system would take the existing system out of the existing hotel resulting in significant improvements. This arrangement was supported by both Scottish Natural Heritage (SNH) and the Scottish Environmental protection Agency (SEPA)

In addition to the above, no objections were raised by Perth and Kinross' Environmental Health Team or by Scottish Water.

The applicant was subsequently advised that the Planning Department had no objection to the proposal on the basis of road safety, residential amenity, natural heritage, visual amenity and landscape framework, compatibility with existing land uses or site drainage. The site was considered to incorporate a good landscape framework that was capable of absorbing a single house development without any detrimental effect. The applicant was

also advised that the proposal would be considered as an infill opportunity under the terms of the current Housing in the Countryside Policy.

However, Mr Allen was later advised that as a result of the length of time taken to resolve the issues with Perth and Kinross Council, as outlined above, the Local Development Plan had since progressed to the newly Adopted Perth and Kinross Local Plan (2014), which removed the criteria set out in the previous Local Plan (1998) for which there was scope for support development which would improve phosphorus discharges into the environmental sensitive Lochs. As a result, the planning application was refused as being contrary to Perth and Kinross Council's Policy for housing in the Countryside.

Housing in the Countryside Policy

The current Local Development Plan for Perth and Kinross is the Perth and Kinross Local Plan, which was adopted in 2014. Policy RD3: Housing in the Countryside, of that Plan supports development in a number of circumstances, including:

(a) Building Groups.

(b) Infill sites.

(c) New houses in the open countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance.

(d) Renovation or replacement of houses.

(e) Conversion or replacement of redundant non-domestic buildings.

(f) Development on rural brownfield land.

(a) Building Groups.

(b) Infill sites.

As previously noted, the Planning Department advised that the site is considered to be an infill site in respect of the above Policy.

However, the site is located within the Lunan Valley, which incorporates a separate Policy in the current Adopted Local Plan (Policy EP6), which states that support for new housing in the countryside within the Lunan Valley Catchment area will be restricted to housing associated with economic need, conversions of existing traditional properties or replacement buildings.

The Planning application was refused for the application failing to meet the above criteria under delegated powers.

It is my client's argument, however, that he has gone to considerable expense over a considerable period of time to make significant improvements to the proposed scheme following the withdrawal of the original planning application in 2013. These improvements were carried out in discussion with Perth and Kinross Council and various external bodies including SNH and SEPA.

Had the applicant been made fully aware of the changes to the Local Development Plan Policy during that time, he would have happily provided further detailed evidence and reasoning to support the proposal in that the proposed dwellinghouse is required on the basis of economic need. However, the applicant was not afforded this opportunity before the application was refused.

Economic Argument

The sole purpose for this application since its early conception has been to create funding to re-invest into the Hotel business to help assure its future lifespan. The building is a historic, traditional listed building, which requires constant maintenance and upkeep both inside and out in order to be protected and retain its traditional appearance and high standards, which subsequently helps to attract the high numbers of visitors each year. Local staffing costs rise constantly year on year and the Hotel seeks to retain a body of core loyal, live-in full time staff from the local area. Without this reinvestment they are unable to attribute the same degree of finance to staffing costs as a result of having to redirect finances to maintenance and works funding. Having to make these saving obviously has a potential knock-on effect to the ability of a highly rated and luxury Hotel such as Kinloch House to attract visitors and a possible knock on effect in terms of a loss in local spending and support of local country pursuits in the area.

Conclusion

In conclusion, it is considered that the proposal for a single dwellinghouse on this site meets the housing in the countryside policy for the Lunan Valley Catchment Area as described within this Report. The proposal, which can be considered as an infill site, would have no detrimental effect upon any of the adjacent historical, listed properties and the applicant would be happy to develop a new house as part of a detailed submission that is modest in scale and traditional in design. The proposed house would have no detrimental visual effect on the surrounding area and is capable of being absorbed into the local landscape framework. The proposal as it stands raises no road safety concerns and would significantly improve the local drainage situation and phosphorous loading into the adjacent Lochs. The proposal has the support of both SEPA and SNH. The applicant has provided a strong economic argument for the development of the site in this case, which would have been provided during the determination of the planning application had he been aware of its requirement.

Mr Allen would therefore ask Members of the Local Review Body to consider the information provided within this statement and to approve the application for the reasons provided above.

TCP/11/16(365)

Planning Application 14/00575/IPL – Erection of a dwellinghouse and garage (in principle), land 70 metres south west of West Wing, The Coach House, Kinloch

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENT

PERTH AND KINROSS COUNCIL

Mr G Allan
c/o Norman MacLeod
18 Walnut Grove
Blairgowrie
PH10 6TH

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 12th March 2015

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **14/00575/IPL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 28th March 2014 for permission for **Erection of a dwellinghouse and garage (in principle) Land 70 Metres South West Of West Wing The Coach House Kinloch** for the reasons undernoted.

Development Quality Manager

Reasons for Refusal

1. As the proposal does not involve the renovations or replacement of an existing building or the erection of a dwelling which is necessary for economic need, the proposal is contrary to the requirements of Policies RD3 and EP6 of the Local Development Plan 2014, both of which state that new housing will only be acceptable in the Lunan Valley Catchment Area if it relates to economic need or the conversions / replacement of existing buildings.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan

The plans relating to this decision are listed below and are displayed on Perth and Kinross Council's website at www.pkc.gov.uk "Online Planning Applications" page

Plan Reference

14/00575/1

14/00575/2

14/00575/3

14/00575/4

14/00575/5

14/00575/6

14/00575/7

14/00575/8

14/00575/9

REPORT OF HANDLING

DELEGATED REPORT

Ref No	14/00575/IPL	
Ward No	N3- Blairgowrie And Glens	
Due Determination Date	27.05.2014	
Case Officer	Andy Baxter	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Erection of a dwellinghouse and garage (in principle)

LOCATION: Land 70 Metres South West Of West Wing, The Coach House, Kinloch

SUMMARY:

This report recommends **refusal** of a planning in principle application for the erection of a dwelling house adjacent to the Kinloch House Hotel as development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

DATE OF SITE VISIT: 3 April 2014

BACKGROUND AND DESCRIPTION OF PROPOSAL

This planning application seeks to obtain a planning in principle consent for the erection of a single dwelling on an infill site between the Kinloch House Hotel and a private dwelling named Quarryhill. The site is a grassed paddock area which measures approx. 55m in its depth (north to south) and approx. 42m in its breadth and is defined by existing hedging.

A new access to the plot is proposed to the front of the plot across a larger grassed paddock area. As part of the proposals, new drainage arrangements are proposed which will include the improvements to existing systems.

SITE HISTORY

A previous planning in principle planning application on the same for the erection of dwellinghouse and garage (13/01321/IPL) was withdrawn by the applicant prior to determination.

PRE-APPLICATION CONSULTATION

General discussions took place with the applicant.

NATIONAL POLICY AND GUIDANCE

The Scottish Government expresses its planning policies through The National Planning Framework, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

Of relevance to this planning application is,

The Scottish Planning Policy 2014

The Scottish Planning Policy (SPP) was published on June 23 2014. It sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:

- the preparation of development plans;
- the design of development, from initial concept through to delivery; and
- the determination of planning applications and appeals.

Of relevance to this application are Paragraphs 74 - 83, which relate to Promoting Rural Development and also Paragraphs 109-134, which relates to enabling delivery of new homes.

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the Tay Plan should be noted. The vision states *“By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice, where more people choose to live, work and visit and where businesses choose to invest and create jobs.”*

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

The Local Development Plan was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The application site lies within the landward area of the Local Development Plan, where the following policies are applicable.

Policy PM1A - Placemaking

Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaption.

Policy EP6 - Lunan Valley Catchment Area

The nature conservation and landscape interest of the Lunan Valley Catchment Area will be protected and enhanced in accordance with the criteria set out. Policy RD3: Housing in the Countryside is restricted to economic need, conversions, or replacement buildings within the Lunan Valley Catchment Area.

Policy HE2 - Listed Buildings

There is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the building's character, appearance and setting.

Policy PM1A - Placemaking

Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaption.

Policy RD3 - Housing in the Countryside

The development of single houses or groups of houses which fall within the six identified categories will be supported. This policy does not apply in the Green Belt and is limited within the Lunan Valley Catchment Area.

Policy PM3 - Infrastructure Contributions

Where new developments (either alone or cumulatively) exacerbate a current or generate a need for additional infrastructure provision or community facilities, planning permission will only be granted where contributions which are reasonably related to the scale and nature of the proposed development are secured.

OTHER COUNCIL POLICIES

Housing in the Countryside Guide 2012

This supplementary guidance is the most recent guidance on Housing in the Countryside and should be read in conjunction with Policy RD3 of the Local Development Plan 2014.

Developer Contributions 2014

This supplementary guidance seeks to secure financial contributions for both A9 junction improvements and for primary education in certain circumstances. This Supplementary Guidance should be read in conjunction with Local Development Plan *Policy PM3: Infrastructure Contributions and Developer Contributions Supplementary Guidance*.

Developer Contributions, Transport Infrastructure 2014

This supplementary guidance is about facilitating development. It sets out the basis on which the Council will seek contributions from developments in and around Perth towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites and to support the growth of Perth and Kinross. This Supplementary Guidance should be read in conjunction with Local Development Plan *Policy PM3: Infrastructure Contributions and Developer Contributions Supplementary Guidance*.

CONSULTATION RESPONSES

Scottish Water have commented on the planning application and raised no objection.

Scottish Natural Heritage have been consulted on the planning application and raised no objections.

INTERNAL COUNCIL RESPONSES

Contributions Officer has commented on the planning application and indicated that contributions may be applicable at the detailed stage.

Transport Planning have commented on the planning application and raised no objection in terms of the new access arrangements, subject to conditions.

Education And Children's Services have indicated that the Developer Contributions 2014 document should be applied to the proposal.

Environmental Health have raised no objection to the proposal subject to conditions.

REPRESENTATIONS

One letter of representation has been received from a local resident objecting to the proposal. The main issues raised by the objector are issues relating to the access and drainage issues.

These issues are addressed under the main appraisal section.

ADDITIONAL STATEMENTS RECEIVED

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact	Not Required

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan for the area comprises the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014.

Other material considerations include compliance with the Council's Housing in the Countryside Policy 2012, and the Council's policies on Developer Contributions.

Policy Appraisal

The principal Development Plan land use policies directly relevant to this proposal are largely contained in the adopted Local Development Plan. Within that Plan, the site lies within the landward area within the Lunan Valley Catchment where *Policy EP6* is directly applicable.

Policy EP6 states that the nature conservation and landscape interest of the Lunan Valley Catchment Area will be protected and enhanced in accordance

with the criteria set out. Within this area Policy RD3 (Housing in the Countryside) is restricted to economic need, conversions, or replacement buildings.

In addition to this, *Policy PM1A* seeks to ensure that all new developments contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the existing area,

For reasons stated below, I consider the proposal to be contrary to the *Policy EP6* of the Local Development Plan.

Land Use

Whilst the proposal would be considered an infill opportunity under the terms of the Housing in the Countryside Policies, these policies are not applicable in full within the Lunan Valley Catchment Area. Within this area, *Policy RD3* (Housing in the Countryside) is restricted only to new housing associated for economic need, conversions, or replacement buildings. Contrary to the requirements of the previous Eastern Area Local Plan 1998, there is no scope for supporting development which would improve phosphorus discharges into the environmental sensitive Lochs that would have acceptable under the other parts of the Housing in the Countryside policies ie building groups, infill opportunities, brownfield land or housing for local people.

Whilst I do have some sympathy with the applicant as this proposal would improve an existing drainage issue and would ultimately result in an improvement to the phosphorus loading to the lochs, the policy as its worded does not offer any scope to offer support for new housing that is not connected to operational need, a conversions or a replacement building.

To this end, I consider the proposed land use to be unacceptable.

Landscape Framework

The site itself is, in my opinion relatively well defined and has a good existing landscaping framework which is based around the road to the west and the mature trees along the sites other boundaries. To this end, I consider the site to have a suitable landscape framework which is capable of absorbing the development proposed.

Compatibility with Existing Land Uses

In terms of the compatibility with surrounding, existing land uses, I have no particular concerns. Although there are non-residential uses in the immediate area these existing uses are perfectly compatible with a residential use.

Residential Amenity

In terms of the impact on any existing residential amenity, due to the sites isolated location, the siting of a dwelling on the site will have no adverse impact on the residential amenity of any existing properties. In terms of providing a suitable level of residential amenity for future occupiers, subject to appropriate siting of the new dwelling I have no concerns.

Visual Amenity

Subject to an appropriately designed dwelling being brought forward at the detailed stage, I have no concerns regarding the visual impact that the proposal will have.

Roads and Access

In terms road and pedestrian safety, subject to appropriate conditions I note my Transport Planning colleagues have raised no particular issue with the proposal, and I have no reason to offer a different view.

Drainage and Flooding

The proposal raised no issues in terms of drainage and flooding matters. The application is proposing a new drainage system which would take in the old system of the existing hotel. This would result in an improved system, which has the support of both SNH and SEPA.

Developer Contributions

Primary Education

In terms of the approved Developer Contributions document, financial contributions are presently being sought for new housing within the school catchment of areas operating at over 80% capacity. As this is a planning in principle application, full consideration of the need for an education contribution will be made at the time when a detailed planning application is submitted.

Transport Contributions

The application site is located outwith the catchment area for Transport Contributions and therefore there is no requirement for any contributions in relation to Transport Infrastructure.

Conclusion

In conclusion, the application must be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to be contrary to the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the Development Plan and on that basis the application is recommended for approval subject to conditions.

APPLICATION PROCESSING TIME

The recommendation for this application has not been made within the statutory determination period.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application on the grounds that,

As the proposal is does not involve the renovations or replacement of an existing building or the erection of a dwelling which is necessary for economic need, the proposal is contrary to the requirements of Policies RD3 and EP6 of the Local Development Plan 2014, both of which state that new housing will only be acceptable in the Lunan Valley Catchment Area if it relates to economic need or the conversions / replacement of existing buildings.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan

Informatives

None

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

14/00575/1 - 14/00575/9 (*inclusive*)

Date of Report 6.3.2015



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evidence of a right of way.

The representation of features as lines is no evidence
of a property boundary.

PERTH AND KINROSS COUNCIL

DRAWING REF: 14/00575/1

0 200 400

Scale 1:10000

Supplied By: **Danscot Perth**

Serial number: 001099614

Plot Centre Coordinates: 313468, 745124

Norman A MacLeod

Tel: 07884177328

www.namsurveying.co.uk

e-mail: namacleod@aol.com

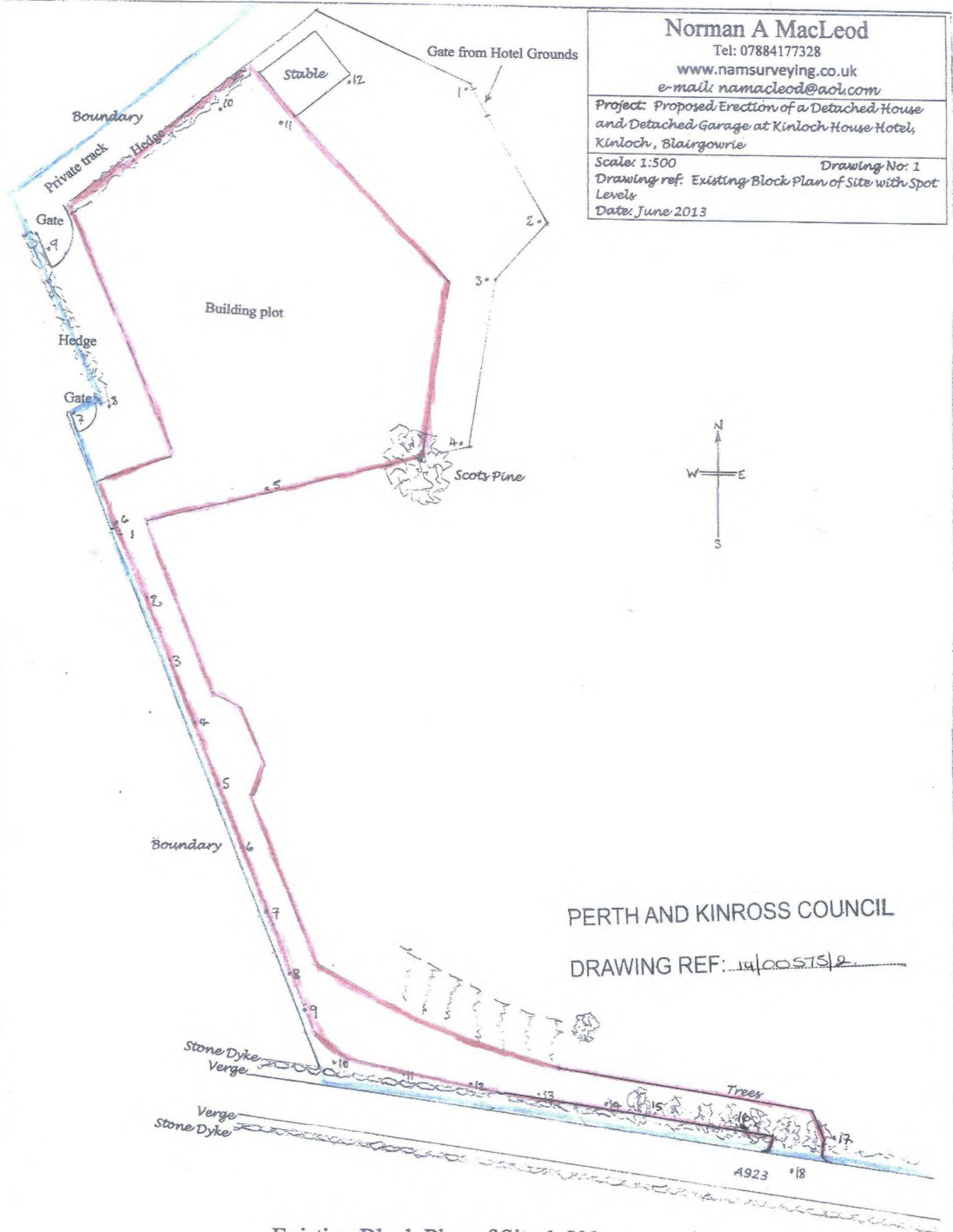
Project: Proposed Erection of a Detached House
and Detached Garage at Kinloch House Hotel,
Kinloch, Blairgowrie

Scale: 1:500

Drawing No: 1

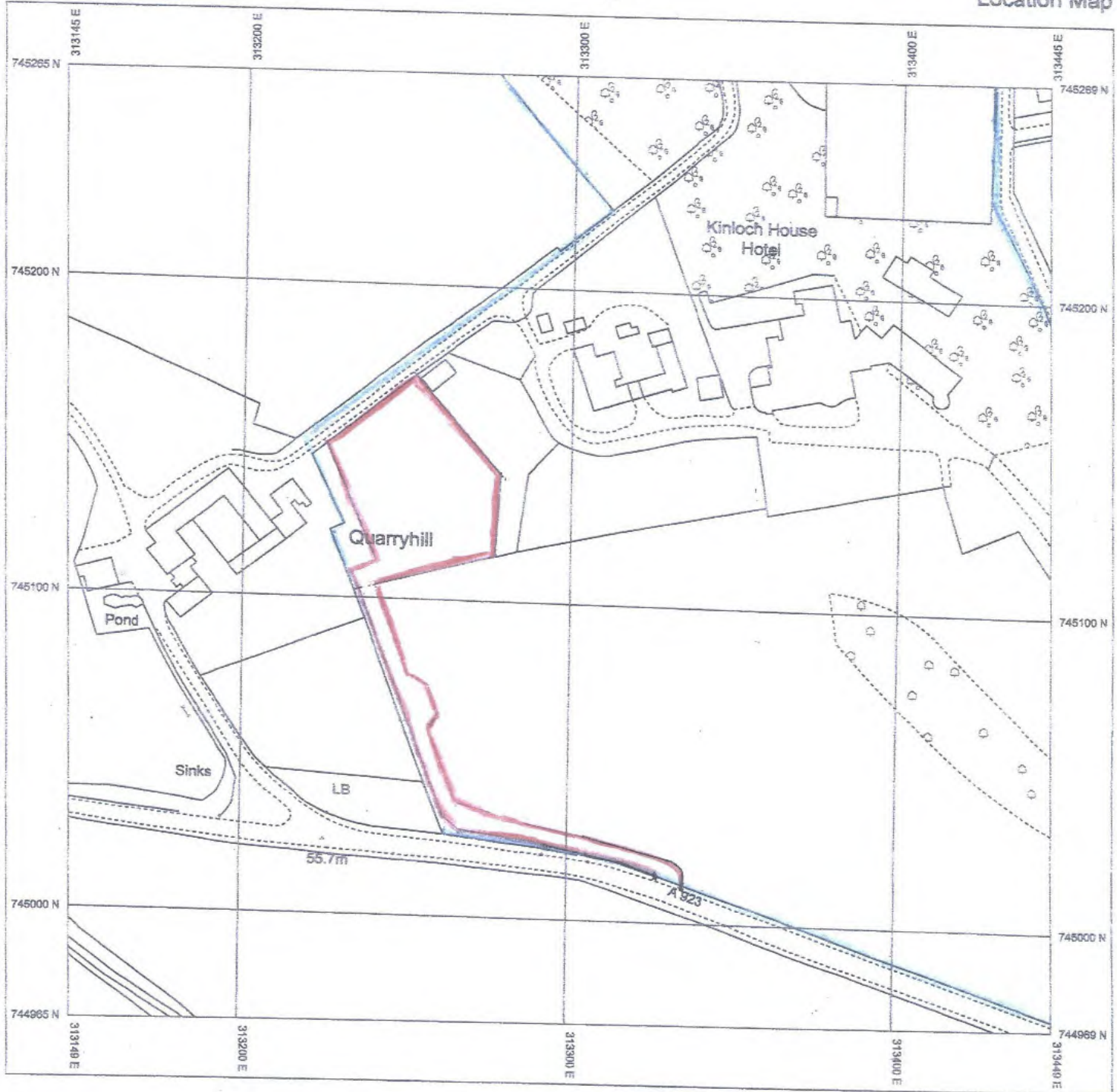
Drawing ref: Existing Block Plan of Site with Spot
Levels

Date: June 2013



Existing Block Plan of Site 1:500

0 10 20 30 40 50
1:500 SCALE BAR METRES



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The representation of features as lines is no evidence of a property boundary.



Scale 1:1250

Supplied By: Danescot Perth

Serial number: 001099611

Plot Centre Coordinates: 313297, 745117

PERTH AND KINROSS COUNCIL

DRAWING REF: 14/00575/3

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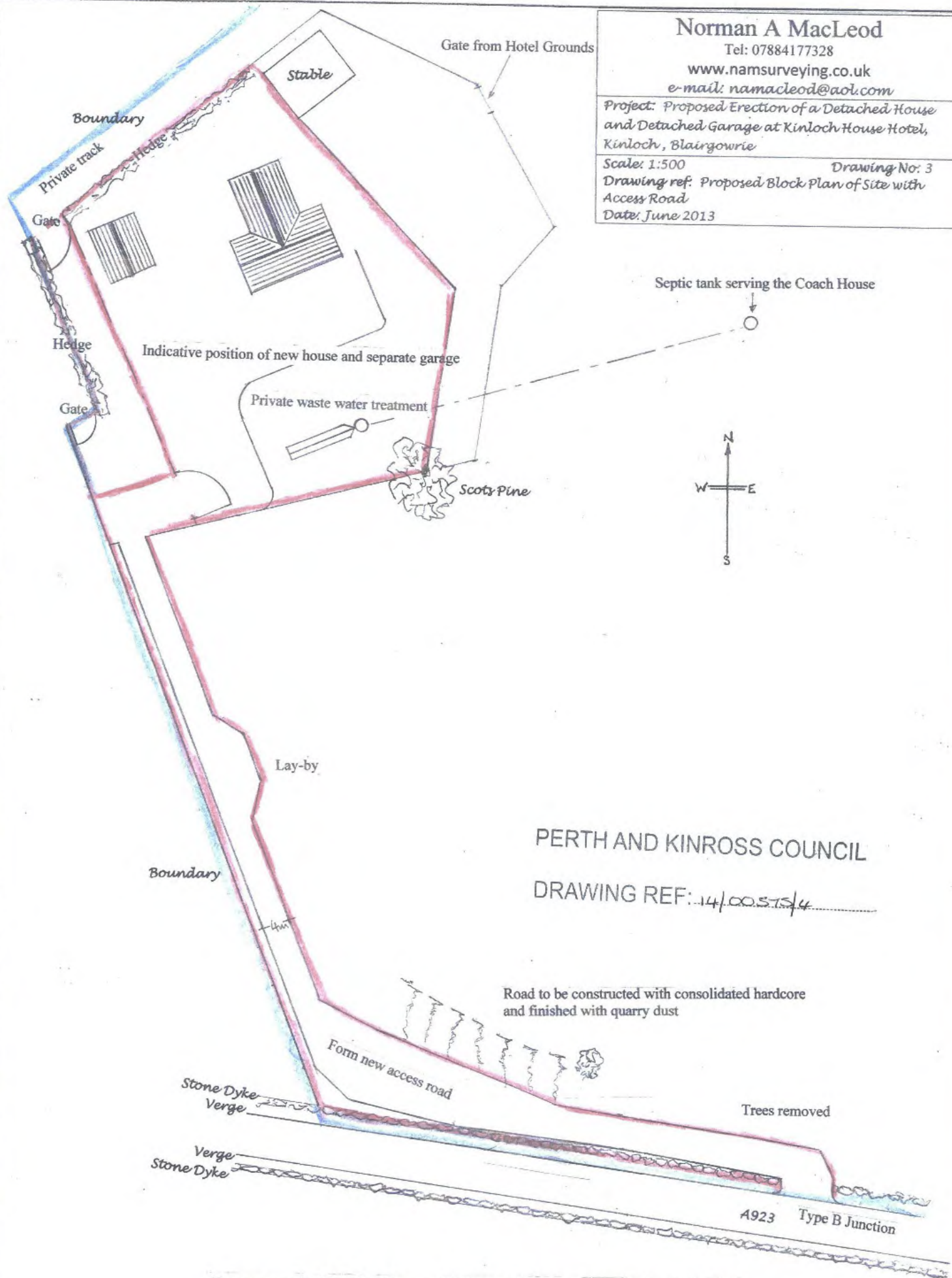
Project: Proposed Erection of a Detached House and Detached Garage at Kinloch House Hotel, Kinloch, Blairgowrie

Scale: 1:500

Drawing No: 3

Drawing ref: Proposed Block Plan of Site with Access Road

Date: June 2013



Proposed Block Plan of Site with Access Road 1:500

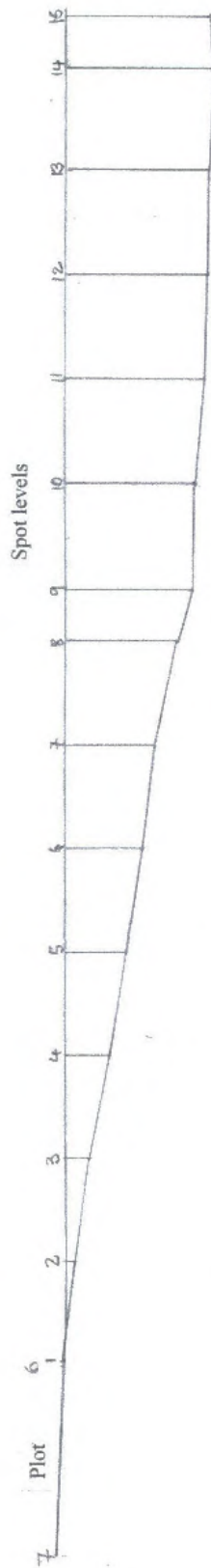
0 10 20 30 40 50
1:500 SCALE BAR METRES



1:500 SCALE BAR



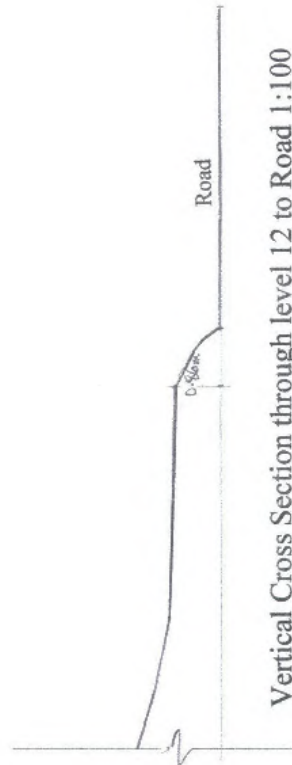
1:200 SCALE BAR



Existing Vertical Cross Section through Levels 1:500

PERTH AND KINROSS COUNCIL

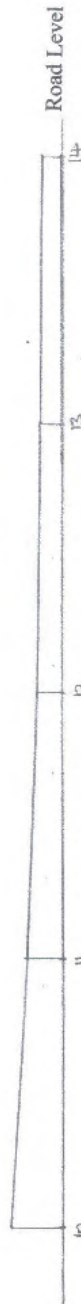
DRAWING REF: 14/00.575/5



Vertical Cross Section through level 12 to Road 1:100



1:100 SCALE BAR



Vertical Section viewed from Road 1:200

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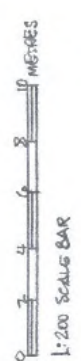
e-mail: namacleod@aol.com

Project: Proposed Erection of a Detached House and Detached Garage at Kinloch House Hotel, Kinloch, Blairgowrie

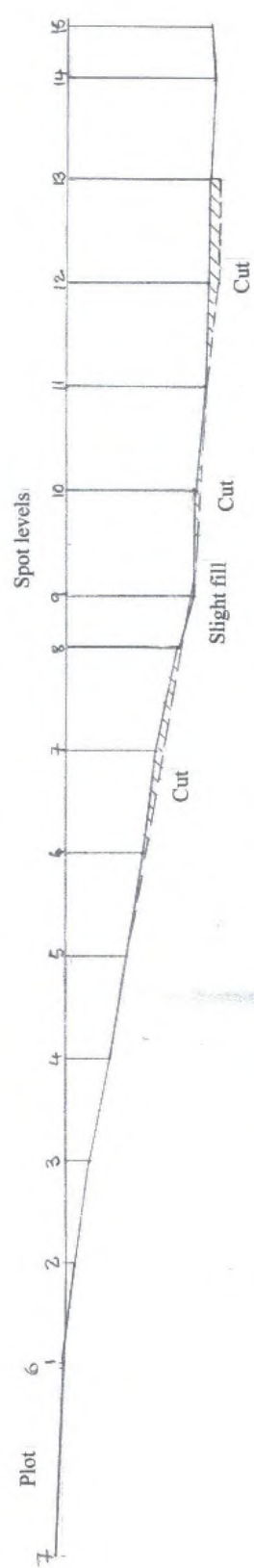
Scale: 1:500 1:200 1:100

Drawing No: 2
Drawing ref: Existing Vertical Cross Sections through Spot Levels on the Land Forming the Access Road

Date: June 2013

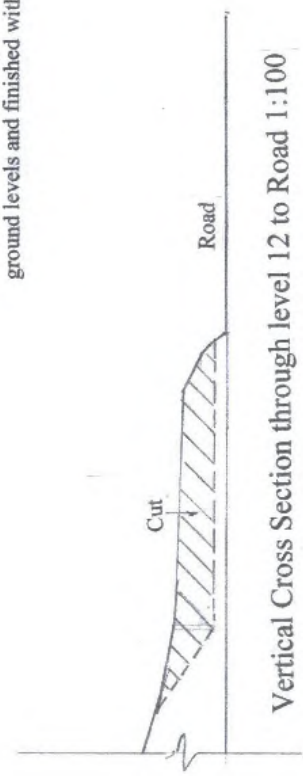


PERTH AND KINROSS COUNCIL
DRAWING REF: 14/005156

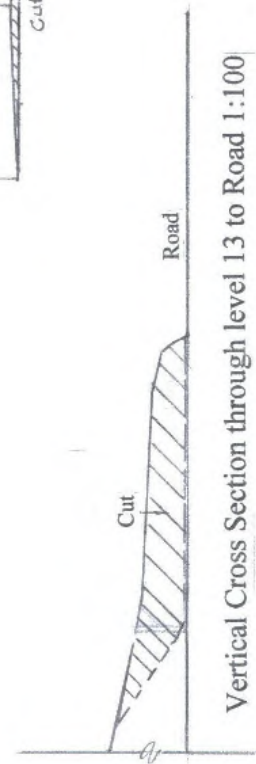
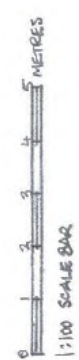


Proposed Vertical Cross Section through Levels 1:500

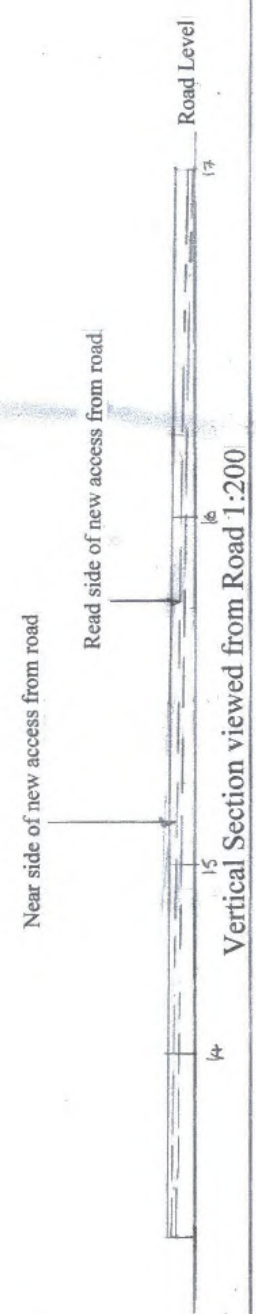
Ground to be cut and sloped to meet with existing ground levels and finished with grass



Vertical Cross Section through level 12 to Road 1:100



Vertical Cross Section through level 13 to Road 1:100



Vertical Section viewed from Road 1:200

Norman A MacLeod Tel: 07884177328 www.namsurveying.co.uk e-mail: namacleod@aol.com	
Project: Proposed Erection of a Detached House and Detached Garage at Kintoch House Hotel, Kintoch, Blairgowrie	
Scale: 1:500	Drawing No: 4
Drawing ref: Vertical Sections through Access Road	
Date: June 2013	

It is not envisaged that any significant cut or fill will be required although there may be some small retaining walls at the rear of the buildings or very slight regrading of the site. This will however, be subject to finalisation of the building location and designs where more detail will be available.

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Project: Proposed Erection of a Detached House and Detached Garage at Kinloch House Hotel, Kinloch, Blairgowrie

Scale: 1:200 Drawing No: 5

Drawing ref: Vertical Sections through Plot with Spot Levels

Date: June 2013



Spot levels 9 to 6 1:200

PERTH AND KINROSS COUNCIL

DRAWING REF: 14/00.575/7



Spot levels 10 to 4 1:200



Spot levels 7 to 1 1:200



Spot levels 6 to 2 1:200

Vertical Sections through Plot with Spot Levels 1:200

Photographs 1-3 Viewing towards the hotel from the roadway



PERTH AND KINROSS COUNCIL
DRAWING REF: 14/00515/8

Photographs 4-7 Viewing towards the road from the hotel



Photographs 8-10 Viewing towards the plot from the Hotel



8



9



10

PERTH AND KINROSS COUNCIL
DRAWING REF: 14/00575/9.

TCP/11/16(365)

Planning Application 14/00575/IPL – Erection of a dwellinghouse and garage (in principle), land 70 metres south west of West Wing, The Coach House, Kinloch

REPRESENTATIONS

- Representation from Regulatory Services Manager, dated 9 April 2015
- Representation from Development Negotiations Officer, dated 11 April 2015
- Representation from Education and Children's Services, dated 15 April 2015
- Representation from Transport Planning, dated 23 April 2015
- Representation from Scottish Water, dated 7 May 2015

Memorandum

To Development Quality Manager

From Regulatory Service Manager

Your ref 14/00575/IPL

Our ref MA

Date 9 April 2014

Tel No 01738 476476

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

RE: Erection of a dwellinghouse and garage (in principle) Land 70 Metres South West Of West Wing The Coach House Kinloch for Mr G Allan

I refer to your letter dated 8 April 2014 in connection with the above application and have the following comments to make.

Water (assessment date – 9/4/14)

Recommendation

I have no objections to the application but recommend the undernoted condition and informatives be included in any given consent.

Comments

The development is for a dwelling house in a rural area with private water supplies known to serve properties in the vicinity. To ensure the new development has an adequate and consistently wholesome supply of water and/ or to maintain water quality and supply in the interests of residential amenity and ensure the private water supply or septic drainage systems of neighbours of the development remain accessible for future maintenance please note the following informatives. No public objections relating to the water supply were noted at the date above.

Informative 1

The applicant should ensure that any existing wayleaves for maintenance or repair to existing private water supply or septic drainage infrastructure in the development area are honoured throughout and after completion of the development.

Informative 2

The applicant shall ensure the private water supply for the house/ development complies with the Water Scotland Act 1980 (Section 63) and the Private Water Supplies (Scotland) Regulations 2006. Detailed information regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks/ pipework and the filtration and disinfection treatment proposed to ensure provision of an adequate and consistently

wholesome water supply shall be submitted to Perth and Kinross Council Environmental Health in line with the above act and regulations.

MA

From: Euan McLaughlin
Sent: 11 April 2014 11:51
To: Development Management - Generic Email Account
Subject: 14/00575/IPL

I have no comments to make on the following application:

14/00575/IPL Erection of a dwellinghouse and garage (in principle) Land 70 Metres South West Of West Wing The Coach House Kinloch for Mr G Allan

Regards,

Euan McLaughlin
Planning Officer (Developer Negotiator) ~ Planning & Regeneration ~ Perth & Kinross
Council ~ The Environment Service ~ Pullar House ~ 35 Kinnoull Street ~ PERTH ~
PH15GD
E-Mail: EMcLaughlin@pkc.gov.uk
Phone: 01738 475381
Website: www.pkc.gov.uk



Memorandum

To	Nick Brian Development Quality Manager	From	Gillian Reeves Assistant Asset Management Officer
Your ref	14/00575/IPL	Our ref	GR
Date	15 April 2014	Tel No	(4) 76395

Education & Children's Services

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Planning Application Ref No 14/00575/IPL

This development falls within the Newhill Primary School catchment area.

As this application is only "in principle" it is not possible to provide a definitive answer at this stage however it should be noted that the Developer Contributions Policy would apply to all new residential units with the exception of those outlined in the policy. The determination of appropriate contribution, if required, will be based on the status of the school when the full application is received.



MEMORANDUM

To	Andy Baxter Planning Officer	From	Niall Moran Transport Planning Technician Transport Planning
Our ref:	NM	Tel No.	Ext 76512
Your ref:	14/00575/IPL	Date	23 April 2014

Pullar House, 35 Kinnoull Street, Perth, PH1 5GD

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997, - ROADS (SCOTLAND) ACT 1984

With reference to the application 14/00575/IPL for planning consent for:- **Erection of a dwellinghouse and garage (in principle) Land 70 Metres South West Of West Wing The Coach House Kinloch for Mr G Allan**

Insofar as the Roads matters are concerned I do not object to the proposed development provided the conditions indicated below are applied, in the interests of pedestrian and traffic safety.

- Prior to the occupation or use of the approved development the vehicular access shall be formed in accordance with specification Type B, Fig 5.6 access detail to the satisfaction of the Planning Authority.
- The gradient of the access shall not exceed 3% for the first 5 metres measured back from the edge of the carriageway and the access shall be constructed so that no surface water is discharged to the public road.
- Visibility splays of 2.4m x 110m measured from the centre line of the new access shall be provided in both directions along the nearside channel of the A923 prior to the commencement of the development and thereafter maintained free from any obstruction of a height exceeding 1.05 metres above the adjacent road channel level.
- Prior to the occupation or use of the approved development turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear.
- Prior to the occupation or use of the approved development a minimum of 2 No. car parking spaces shall be provided within the site.

The applicant should be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.

I trust these comments are of assistance.



7th May 2014

Perth & Kinross Council
Pullar House
35 Kinnoull Street
Perth
PH1 5GD

For the attention of Andrew Baxter

Customer Connections
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Individual Connections Team
T: 0141 414 7162

W: www.scottishwater.co.uk
E: IndividualConnections@scottishwater.co.uk

Dear Andrew

PLANNING APPLICATION NUMBER: 14/00575/IPL
DEVELOPMENT: Land 70m South West Of West Wing, The Coach House, Kinloch
OUR REFERENCE: 686682
PROPOSAL: Erection of a dwellinghouse and garage (in principle)

Please quote our reference in all future correspondence

Scottish Water has no objection to this planning application. However we are unable to reserve capacity at our water and wastewater treatment works in advance of formal agreement made with us. In view of this, the information provided in this letter will need to be reviewed if this proposal progresses to full planning approval.

There are no public sewers in the vicinity of the proposed development.

Lintrathen Water Treatment Works currently has capacity to service this proposed development.

Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements installed, subject to compliance with the current water byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.

If the connection to public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s). This should be done through a deed of servitude.

Should the developer require information regarding the location of Scottish Water infrastructure they should contact our Property Searches Department, Bullion House, Dundee, DD2 5BB. Tel – 0845 601 8855.

If the developer requires any further assistance or information on our response, please contact me on the above number or alternatively additional information is available on our website:
www.scottishwater.co.uk.

Yours faithfully

Fiona Campbell
Customer Connections Technical Adviser
IndividualConnections@scottishwater.co.uk